

REMARKS

In the final Office Action, the Examiner rejects claims 1-3, 6-8, 10, and 11 under 35 U.S.C. § 102(e) as anticipated by LAZARIDIS et al. (U.S. Patent No. 6,463,464 B1); rejects claims 4 and 12 under 35 U.S.C. § 103(a) as unpatentable over LAZARIDIS et al. in view of LEE et al. (U.S. Patent No. 6,161,008); and rejects claim 9 under 35 U.S.C. § 102(e) as anticipated by LAZARIDIS et al. or, in the alternative, under 35 U.S.C. § 103(a) as unpatentable over LAZARIDIS et al. in view of SKIDMORE (U.S. Patent Application Publication No. 2003/0036380) or in view of TRAN (U.S. Patent No. 6,154,646). Applicants respectfully traverse these rejections.¹

At the outset, Applicants note that the Examiner has crossed out several references on the Information Disclosure Statement filed July 29, 2007 because of typographical errors and because copies of the cited foreign patent documents were not submitted with the IDS. In response, Applicants resubmit a corrected copy of the IDS along with copies of the cited foreign patent documents. Applicants respectfully request that the Examiner enter the IDS because it is a resubmission of a timely filed IDS.

Claims 1-3 and 6-11 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by LAZARIDIS et al. Applicants respectfully traverse this rejection.

A proper rejection under 35 U.S.C. § 102 requires that a reference teach every aspect of the claimed invention. Any feature not directly taught must be inherently present. See M.P.E.P.

¹ As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine reference, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.

§ 2131. LAZARIDIS et al. does not disclose or suggest the combination of features recited in Applicants' claims 1-3 and 6-11.

For example, independent claim 1 recites a method for providing a notification to a preferred communication device of a plurality of communication devices associated with a user, wherein each of the communication devices can be designated as the preferred communication device. The method includes receiving, at a server, a notification from one of the communication devices indicating that incoming data has been received at the one communication device; transmitting the received notification to the preferred communication device, and receiving, at the server, a selection, made by the user, of another one of the communication devices for which notifications are to be transmitted to the preferred communication device. LAZARIDIS et al. does not disclose or suggest this combination of features.

For example, LAZARIDIS et al. does not disclose or suggest receiving, at the server, a selection, made by the user, of another one of the communication devices for which notifications are to be transmitted to the preferred communication device. The Examiner relies on column 2, lines 58-65; column 7, lines 11-14; column 8, lines 6-9; column 8, lines 43-55; and column 9, lines 26-58 of LAZARIDIS et al. as allegedly disclosing this feature (final Office Action, pp. 4-5). Applicants respectfully disagree with the Examiner's interpretation of LAZARIDIS et al.

At column 2, lines 58-65, LAZARIDIS et al. discloses:

As used in this application, the term host system refers to the computer where the redirector software is operating. In the preferred embodiment of the present invention, the host system is a user's desktop PC, although, alternatively, the host system could be a network server connected to the user's PC via a local-area network ("LAN)", or could be any other system that is in communication with the user's desktop PC.

This section of LAZARIDIS et al. discloses that a host system can be a network server connected to the user's PC via a local-area network. Though this section of LAZARIDIS et al. mentions a "server," this section of LAZARIDIS et al. does not disclose or suggest receiving, at the server, a selection, made by the user, of another one of the communication devices for which notifications are to be transmitted to the preferred communication device, as required by claim 1.

At column 7, lines 11-14, LAZARIDIS et al. discloses that a mobile device can optionally send a command message to the host system to receive more or all of a data item if only a portion of the data item is transmitted to the mobile device in order to minimize the amount of data transmitted via the wireless device. More specifically, this section of LAZARIDIS et al. discloses giving a user the option to receive the remainder of a message if only a portion of the message is sent. This section of LAZARIDIS et al. does not disclose or suggest receiving, at the server, a selection, made by the user, of another one of the communication devices for which notifications are to be transmitted to the preferred communication device, as required by claim 1.

At column 8, lines 6-9, LAZARIDIS et al. discloses that the redirector may be programmed with a preferred list mode that is configured by the user either at the host system or remotely from the user's mobile data communication device by transmitting a command message. The preferred list contains a list of senders whose messages are to be redirected or a list of message characteristics that determine whether a message is to be redirected. Thus, this section of LAZARIDIS et al. merely discloses redirecting select messages. This section of LAZARIDIS et al. does not mention another one of the communication devices for which notifications are to be transmitted to the preferred communication device. Therefore, this section

of LAZARIDIS et al. cannot disclose or suggest receiving, at the server, a selection, made by the user, of another one of the communication devices for which notifications are to be transmitted to the preferred communication device, as required by claim 1.

At column 8, lines 43-55, LAZARIDIS et al. discloses:

In the preferred embodiment this method is to send the message A back over the LAN 14, WAN 18, and through the wireless gateway 20 to the mobile data communication device 24. In doing so, the redirector preferably repackages message A as an E-mail with an outer envelope B that contains the addressing information of the mobile device 24, although alternative repackaging techniques and protocols could be used, such as a TCP/IP repackaging and delivery method (most commonly used in the alternative server configuration shown in FIG.2). The wireless gateway 20 requires this outer envelope information B in order to know where to send the redirected message A.

This section of LAZARIDIS et al. discloses redirecting a message by repackaging a message as an e-mail with an outer envelope that contains the addressing information of a mobile device.

This section of LAZARIDIS et al. does not mention another one of the communication devices for which notifications are to be transmitted to the preferred communication device. Therefore, this section of LAZARIDIS et al. cannot disclose or suggest receiving, at the server, a selection, made by the user, of another one of the communication devices for which notifications are to be transmitted to the preferred communication device, as required by claim 1.

At column 9, lines 26-58, LAZARIDIS et al. discloses:

FIG. 2 is an alternative system diagram showing the redirection of user data items from a network server 11 to the user's mobile data communication device 24, where the redirector software 12 is operating at the server 11. This configuration is particularly advantageous for use with message servers such as Microsoft's® Exchange Server, which is normally operated so that all user messages are kept in one central location or mailbox store on the server instead of in a store within each user's desktop PC. This configuration has the additional advantage of allowing a single system administrator to configure and keep track of all users having messages redirected. If the system includes encryption keys, these too can be kept at one place for management and update purposes.

In this alternative configuration, server 11 preferably maintains a user profile for each

user's desktop system 10, 26, 28, including information such as whether a particular user can have data items redirected, which types of message and information to redirect, what events will trigger redirection, the address of the users' mobile data communication device 24, the type of mobile device, and the user's preferred list, if any. The event triggers are preferably detected at the user's desktop system 10, 26, 28 and can be any of the external, internal or network events listed above. The desktop systems 10, 26, 28 preferably detect these events and then transmit a message to the server computer 11 via LAN 14 to initiate redirection. Although the user data items are preferably stored at the server computer 11 in this embodiment, they could, alternatively, be stored at each user's desktop system 10, 26, 28, which would then transmit them to the server computer 11 after an event has triggered redirection.

This section of LAZARIDIS et al. discloses the redirection of user data items from different user desktop systems connected to a network server to different users' mobile data communication devices. A desktop system detects an event and transmits a message to the server computer to initiate redirection to the mobile data communication device associated with the user of the desktop system. This section of LAZARIDIS et al. discloses transmitting a message from a user's desktop to a user's mobile data communication device via a server. This section of LAZARIDIS et al. does not mention another communication device for which notifications are to be transmitted to the preferred communication device. Therefore, this section of LAZARIDIS et al. cannot disclose or suggest receiving, at the server, a selection, made by the user, of another one of the communication devices for which notifications are to be transmitted to the preferred communication device, as required by claim 1.

In response to Applicants' assertions that LAZARIDIS et al. discloses that a preferred list contains a list of message characteristics that determine whether a message is to be redirected and does not disclose or suggest another communication device for which notifications are to be transmitted to the preferred communication device, the Examiner alleges:

The message inherently includes a destination device address i.e. IP (Internet Protocol) address of device on Internet or a MAC (Media Access Control) address of a device on

an Ethernet, to which the message is delivered. It is inherent to use this destination device address characteristic of a message, the selection of which is indicated by the user to the server, for alternate routing or forwarding for delivery of the message. If the system were to redirect the messages based only on the sender, then all messages from a particular sender redirected to different devices of different users would be forcibly redirected to only one device irrespective of the devices selected by the recipients. Thus, it is inherent to use the destination device address characteristic of the message as selected by the user to determine the redirection of messages

(final Office Action, pg. 3). Applicants respectfully disagree with the Examiner's allegation.

LAZARIDIS et al. discloses pushing data items from a host system (a user's desktop PC or a network server connected to the user's PC) to a user's mobile data communication device upon detecting the occurrence of one or more user-defined event triggers (column 2, lines 53-57). If a user were to route messages from the host system based on the destination address of a message, as suggested by the Examiner, then all messages sent to the user's PC (which would all include the destination address of the user's PC) would be forwarded to the user's mobile data communication device, which is the opposite of pushing user-selected data items, as disclosed by LAZARIDIS et al. (column 2, lines 28-31).

Regardless of the Examiner's allegation that the destination device address may be used as a message characteristic that determines whether a message is to be redirected, LAZARIDIS et al. discloses redirecting data from a host system to a user's mobile data communication device and does not mention another communication device for which notifications are to be transmitted to a preferred communication device. Therefore, LAZARIDIS et al. does not disclose or suggest receiving, at the server, a selection, made by the user, of another one of the communication devices for which notifications are to be transmitted to the preferred communication device, as required by claim 1.

For at least the foregoing reasons, Applicants submit that claim 1 is not anticipated by LAZARIDIS et al.

Claims 2, 3, and 6-9 depend from claim 1. Therefore, these claims are not anticipated by LAZARIDIS et al. for at least the reasons given above with respect to claim 1.

Independent claim 10 recites features similar to, yet possibly of different scope than, features recited above with respect to claim 1. Therefore, Applicants submit that claim 10 is not anticipated by LAZARIDIS et al. for reasons similar to the reasons given above with respect to claim 1.

Claim 11 depends from claim 10. Therefore, claim 11 is not anticipated by LAZARIDIS et al. for at least the reasons given above with respect to claim 10.

Claims 4 and 12 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over LAZARIDIS et al. in view of LEE et al. Applicants respectfully traverse this rejection.

Claim 4 depends from claim 1. Without acquiescing in the rejection of claim 4, Applicants submit that the disclosure of LEE et al. does not remedy the deficiencies in the disclosure of LAZARIDIS et al. set forth above with respect to claim 1. Therefore, Applicants submit that claim 4 is patentable over LAZARIDIS et al. and LEE et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1.

Claim 12 depends from claim 10. Without acquiescing in the rejection of claim 12, Applicants submit that the disclosure of LEE et al. does not remedy the deficiencies in the disclosure of LAZARIDIS et al. set forth above with respect to claim 10. Therefore, Applicants submit that claim 12 is patentable over LAZARIDIS et al. and LEE et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 10.

Claim 9 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over LAZARIDIS et al. in view of SKIDMORE. Applicants respectfully traverse this rejection.

Claim 9 depends from claim 1. Without acquiescing in the rejection of claim 9, Applicants submit that the disclosure of SKIDMORE does not remedy the deficiencies in the disclosure of LAZARIDIS et al. set forth above with respect to claim 1. Therefore, Applicants submit that claim 9 is patentable over LAZARIDIS et al. and SKIDMORE, whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1.

Claim 9 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over LAZARIDIS et al. in view of TRAN. Applicants respectfully traverse this rejection.

Claim 9 depends from claim 1. Without acquiescing in the rejection of claim 9, Applicants submit that the disclosure of TRAN does not remedy the deficiencies in the disclosure of LAZARIDIS et al. set forth above with respect to claim 1. Therefore, Applicants submit that claim 9 is patentable over LAZARIDIS et al. and TRAN, whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1.

In view of the foregoing remarks, Applicants respectfully request the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

While the present application is now believed to be in condition for allowance, should the Examiner find that some issue remains unresolved, or should any new issues arise that could be eliminated through discussions with Applicant's representative, then the Examiner is invited to contact the undersigned by telephone to expedite prosecution of this application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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